

SUB COMMITTEE DRAFT

Historic Preservation Policy Document

December 2011

General Notes:

This draft policy document is formatted as suggested by the State Historic Preservation Office Technical Series. The bold, italicized text at the beginning of each section is taken from SHPO Technical Series xxx. They have been included to facilitate the comprehension of the intent of each section. The Sub-committee has also added some additional text to customize the document to meet the intent of the sub-committee goals. Please note that the Alameda Municipal Code formatting style will cause reformatting at codification. No substantive changes will be made to this document during that task.

In addition, for the sake of focusing comment, text that is in **bold** reflects text found in the City Charter and cannot be amended without a vote of the citizens of Alameda. Text shown in ~~strikeout~~ is text from the current Historic Preservation Ordinance.

SECTION 1: PURPOSE

Understanding local preservation goals is a crucial first step in the drafting process, and every preservation ordinance should begin with a clear and succinct purpose statement. Why preserve historic buildings? What does the community hope to accomplish by regulating the appearance of new construction in historic areas? This manual presents a set of questions that are designed to assist communities in defining their preservation goals.

Section 1: Purpose

The purpose of this legislation is to promote the educational, cultural, health, safety and general welfare of the citizens of the City through:

~~13-21.1 The purpose of this section is to promote the educational, cultural, and economic welfare of the City by preserving and protecting historical structures, sites, parks, landscaping, streets, and neighborhoods which serve as visible reminders of the history and cultural heritage of the City, State or Nation. Furthermore, it is the purpose of this chapter to strengthen the economy of the City by stabilizing and improving property values in historic areas, and to encourage new buildings and developments that will be harmonious with the existing buildings and neighborhoods.~~

1. The protection, enhancement, perpetuation and use of buildings, sites and areas that are reminders of past eras, events and persons important to local, state or national history, or provide distinctive examples of architectural styles of the past, or are landmarks, or are unique and irreplaceable assets to the City and its neighborhoods;

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2. The fostering of civic pride in the beauty and character of the city and in the accomplishments of its past and promote historic tourism;
3. The enhancement of the visual character of the City by encouraging new design and construction that compliments the City's historic buildings and districts.
4. The enhancement of property values, the stabilization of neighborhoods and areas of the City, and the increase of economic and financial benefits to the City and its inhabitants;
5. The early identification and resolution of conflicts between the preservation of historical resources/districts and alternative land uses; and
6. The conserving of valuable material and energy resources by ongoing use and maintenance of the existing built environment.

SECTION 2: ENABLING AUTHORITY

The ordinance should identify the legal authority by which it is able to regulate historic buildings and historic areas. This manual discusses the state and federal legal framework for preservation in California.

Section 2: Enabling Authority

There is established the Historic Advisory Board. The Historic Advisory Board shall have and exercise the powers and perform the duties set forth in this section, and elsewhere in this chapter with respect to historical, cultural and/or architectural preservation.

SECTION 3: ESTABLISHMENT OF PRESERVATION COMMISSION

The ordinance must identify the local entity charged with administering and enforcing the ordinance and list their specific responsibilities. In many cases the preservation commission is a separate decision-making body within the local government. In other cases the City Council or its equivalent may act in the capacity of a preservation commission. This manual reviews key issues to consider when drafting this crucial section. For example, should the community require professional qualifications of preservation commission members? What types of activities should fall under the preservation commission's jurisdiction? Should the commission have decision-making authority, or merely be advisory to some other body, such as a planning commission?

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Section 3: Historic Advisory Board Established

~~13-21.3 Duties of the Historical Advisory Board.~~

~~a. Adopt rules and procedures for the transaction of its duties and business.~~

~~b. Take all steps necessary to preserve Historical Monuments which are not in conflict with the health, safety and general welfare of the general public, or the powers and duties of the City, or its several boards, officers or departments. Such steps may include recommendation that civic and citizens' committees be created; recommendation that private funds for the acquisition or restoration of such monuments be established; and recommendations that such monuments be acquired by a governmental agency where private acquisition is not feasible.~~

~~c. Review the historical building study list pursuant to criteria and procedures which shall be developed and adopted by the Board, and subject to the prior notification of the property owner. Any such revisions shall also be filed with the City Clerk.~~

~~d. Investigate and make recommendations to the City Council on the use of grants from Federal and State agencies, private foundations, or individuals, and any other funding mechanisms available to implement or carry out provisions of this chapter.~~

~~e. Participate in, promote, and conduct public informational, educational, and interpretive programs which increase public awareness and appreciation of historical resources in the City, including such activities as recommending commendations for private historic preservation efforts, the designation of honorary heritage areas, and other education programs identified in the Historic Preservation Element of the General Plan.~~

~~f. Make any recommendation to the City Council in connection with the exercise of its powers and duties which it determines is necessary to implement or carry out the spirit and intent of this section.~~

The Historic Advisory Board shall have and exercise the powers and perform the duties set forth in this section.

The Historic Advisory Board shall consist of five (5) members, all of whom, at the time of their appointment and continuously during their incumbency, shall be residents of the City.

Upon nomination of the Mayor, the City Council shall appoint, between May 1 and July 1 of each year, such members as are necessary to maintain a full Board, for terms commencing on the first day of July following such appointment and continuing for four years thereafter until the successor of such member is appointed and qualified.

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A member of the Historic Advisory Board may be removed by the vote of a majority of the Council. A vacancy in the office of a member shall be filled by appointment of a new member by the City Council for the duration of an unexpired term of office.

The Historic Advisory Board shall consist of five members:

1. One California licensed architect;
2. One California licensed landscape architect, or building designer, architectural historian or historian;
3. One California licensed general building contractor;
4. Two residents of the City.

All members shall have a demonstrated interest in the architecture, culture, heritage, and history of the City of Alameda and shall serve without pay.

In the event that the City Council determines that any of the positions described in subsections 1, 2, or 3 cannot be filled by a person with the stipulated qualification, the Council may fill any such position by appointing a person qualified under subsections 1, 2, 3 or 4.

Term of Office: Members of the Historic Advisory Board shall serve four year terms. Terms shall be staggered so that the number of terms expiring in any year shall not differ more than one from the number of terms expiring in any other year. Members may be reappointed to serve two consecutive full four-year terms of office, maximum. Should a vacancy occur, the remainder of vacated term shall be filled in the manner set forth above. Historic Advisory Board members serving the remainder of another Historic Advisory Board member's term shall not have that time counted towards their two term limit

Meetings, Officers, and Rules: The Historic Advisory Board shall hold regular meetings in the City Council Chamber on the first Thursday of each month, unless proper notification is given for a change of location or time, and shall hold such additional meetings necessary for discharge of its responsibilities. The Historic Advisory Board shall select a Chair and a Vice Chair who shall serve one year terms or until successors are selected. Former officers may be returned to office.

The City Manager or his or her designee shall be the Secretary of the Historic Advisory Board and he or she shall **cause minutes and records of the Historic Advisory Board meetings be kept.** Meetings shall be generally conducted under Robert's Rules of Order. The Historic Advisory Board shall develop, maintain, and amend as needed "Rules and Procedures."

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Quorum: Three members of the Historic Advisory Board shall constitute a quorum. A decision of the Historic Advisory Board shall be determined by a majority vote of those members present at the meeting, with three or more votes required for passage.

Powers and Duties: The Historic Advisory Board shall advise the City Council on all matters concerning the historical state of the City, report to the City Council the historical needs of the City, and recommend to the City Council the means of their fulfillment.

To discharge these responsibilities, the Historic Advisory Board shall:

1. Adopt rules and procedures for the transaction of duties and business.
2. Preserve Historical Resources by taking all steps necessary that are not in conflict with the health, safety, and general welfare of the general public, or the powers and duties of the City.
3. Research, review, and make recommendations to the City Council on the use of grants from Federal and State agencies, private foundations, and individuals, and any other funding mechanisms available to carry out provisions of this chapter.
4. Participate in, promote, and conduct public informational, educational, and interpretive programs that increase public awareness and appreciation of Landmarks and Historic Districts in the City, including such activities as commending historic preservation efforts, identifying Heritage Areas, and promoting education programs identified in the Historic Preservation Element of the General Plan.
5. Promote the City of Alameda as a Heritage Tourism destination to stimulate economic development.
6. Make any recommendation to the City Council in connection with the exercise of the powers and duties of the Historic Advisory Board, as necessary to carry out the spirit and intent of this section.
7. Review and make recommendations to the State Office of Historic Preservation about Alameda properties that should be nominated for the California Register of Historic Resources and the National Register of Historic Places.

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8. Make recommendations to the City Council about the periodic update of the City's preservation program, inventory, standards, procedures, and criteria, including the establishment of a Landmark preservation incentive program.
9. Make recommendations to the City Council for the enforcement and penalties covered in this ordinance.
10. Resolve to delegate its review powers for specific projects or categories of projects to the Historic Advisory Board Secretary. Upon making a finding that such delegation is necessary, the Historic Advisory Board shall approve appropriate guidelines for the Secretary.

SECTION 4: PROCEDURES AND CRITERIA FOR DESIGNATION OF HISTORICAL RESOURCES

What types of historical resources should be protected, and how? Should the ordinance consider both individual buildings and also historic districts? What about archaeological resources? Clear criteria for the designation of historical resources are an essential feature of a preservation ordinance. This manual discusses the basic issues regarding designation procedures and criteria in detail. Other related topics that are covered include owner consent; designation of interiors; and alternatives to designation such as conservation districts.

Section 4: Procedures and Criteria for Designation of Historic Resources

~~13-21.4 Procedure for Designation of Historical Monuments.~~

~~The Historical Advisory Board shall:~~

- ~~a. Inspect and investigate any site, building, structure or group of structures, areas of special character, or special historical architectural, or aesthetic interest or value in the City which it has reason to believe meets the one or more of the criteria for Historical Monument designation.~~
- ~~b. Consider the property of an owner who feels that his/her property should be designed or undesignated a Historical Monument and who requests that the Board study his/her property and who submits supporting documentation with the request.~~
- ~~c. Recommend to the City Council that such sites, buildings, structures or group of structures be designated or undesignated an Historical Monument. Recommendations shall contain a brief description of the site, building, structure, or significant horticultural development, the reasons for each recommendation, and a brief report on the consultation with the owner:~~
- ~~1. At least ten (10) days prior to the City Council taking any action to designate or undesignate any property as an Historical Monument provide notification in the following manner: post at least one (1) notice on the property involved, mail a notice to the property owner and any tenants of the property, and all other property owners within~~

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three hundred (300') feet of the subject property as shown on the latest assessment roll, and any other parties that have requested notification.

~~2. The City Council's action shall be transmitted to the City Clerk and Recreation and Parks, Public Works and Fire Departments of the City. Notice that a property is a Historical Monument with special rights and limitations shall be recorded for each affected property with the Office of the County Recorder of Alameda County.~~

~~**13-21.6 Designation of Historic Signs.**~~

~~a. The Historical Advisory Board shall be responsible for the designation of signs of historic merit, which makes them exempt from other provisions of the sign regulations as provided by subsection 30-6.15s of the Municipal Code. The Board shall adopt guidelines for the designation and preservation of such signs.~~

~~b. Any interested party may appeal the decision of the Board by filing a written appeal within ten (10) days of the Board's action to the City Council.~~

A. Designating a Landmark, a building that is a contributor to an existing Historic District or new Historic District: Criteria for Consideration.

General criteria which the Historic Advisory Board shall use when considering buildings, sites and areas for Landmark, a building that is a contributor to an existing Historic District or a new Historic District designation:

1. Architecture.

- a. A property, building, site or area that is a significant example of architectural period, style, movement or construction technique;
- b. A property, building, site or area that is a significant work of an architect, contractor, designer, developer, or master builder.

2. Culture.

- a. A property, building, site or area associated with economic, educational, governmental, political, religious, and /or social development of the City of Alameda, the County of Alameda, the State of California and/or the United States of America.

3. History.

- a. A property, building, site or area that embody and express the history of the Preservation and enhancement of buildings, sites and areas that embody and express the history City of Alameda, the

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285 County of Alameda, the State of California and/or the United States
286 of America.

287 4. State Historic Landmarks.

288 a. Any property or District that is listed on the California Historic
289 Landmarks list, a record kept by the California State Historic
290 Preservation Office.

291 5. National Historic Landmarks.

292 a. Any property or District that is listed on the National Register of
293 Historic Places, a record kept by the Federal Department of Interior.

294 **B. Designation of Landmark, a building that is a contributor to an existing**
295 **Historic District or new Historic District.**

296 Initiation of designation shall be by the Historic Advisory Board, or by a resolution
297 of intention by the City Council, or by the verified application of the owners of the
298 property or their authorized agents, or by petition of 50 citizen's of the City to the
299 Historic Advisory Board. Two thirds of the buildings included in a new Historic
300 District must be eligible for designation of a Contributing Building. Permission of
301 the property owner is not required for designation of a Landmark or a
302 Contributing Building, but is highly recommended.

303 The Historic Advisory Board shall hold a public hearing on the proposal. Such
304 hearing shall be held within 60 days of the filing of the application or resolution. A
305 record of pertinent information presented at the hearing shall be made and
306 maintained as a permanent record.

307 **C. Designation Proposal-Public Hearing Notice Requirements.**

308 Notice of the public hearing shall be given by posting thereof on or adjacent to
309 the property involved not less than ten days prior to the date of the hearing. In
310 the case of a Historic District, all properties must be posted.

311 In addition to the posting of notice, a notice of the hearing shall be mailed not
312 less than ten days prior to the date of such hearing to all property owners having
313 property and each residential or other unit within three hundred feet of the
314 property referred to in the application; provided, however, that the failure of any
315 such property owner or resident to receive such notice shall not affect the validity
316 of the proceedings.

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The Historic Advisory Board may also give such other notice as it may deem desirable and practical, including, if requested, to organizations or individuals indicating an interest in the work of the Historic Advisory Board.

D. Designation proposal--Time limit for determination.

The Historic Advisory Board shall recommend approval or disapproval to the City Council for final certification within 45 days after the conclusion of the public hearing; failure to act within said time shall constitute disapproval of the application for the designation of a Landmark, a building that is a contributor to an existing Historic District or a new Historic District.

E. Disapproved Designation proposal - Waiting period for resubmission.

If a proposal initiated by application has been disapproved by the Historic Advisory Board or by the City Council on appeal or certification, no subsequent application that is the same or substantially the same may be submitted or reconsidered for at least two years from the effective date of final action by the Historic Advisory Board or by the City Council on the original proposal.

SECTION 5: PROCEDURES AND CRITERIA FOR ACTIONS SUBJECT TO REVIEW

Once a resource is designated, what types of activities that affect it should be regulated by the community? Local preservation commissions typically are granted some authority over demolition or major alteration of designated properties, and also new construction in historic areas. Within these general categories, there are many questions to consider. For example, should the community be able to say "no" to demolitions of historic properties, rather than just delay them?

Also, included in this section is a general discussion of the expectation maintenance, special circumstances for immediate abatement, if needed for public health and safety and a list of preservation incentives.

Section 5: Procedures and Criteria for Actions Subject to Review

~~13-21.5 Procedure for Preservation of Historical and Cultural Monuments.~~

~~a. Permit Restrictions; Notification to Board of Request. No building, structure, group of structures, or site, including trees or plantings, that has been designated a Historical Monument shall be demolished, removed or altered without first referring the matter to the Historical Advisory Board for a certificate of approval, except where the Building Official or his/her designee determines that demolition, removal or alteration of any such~~

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building, structure or site is immediately necessary in the interest of the public health, safety or general welfare. In cases where immediate action is necessary to protect the public health, safety or general welfare, the Building Official or his/her designee shall, after prior consultation with the Secretary to the Historical Advisory Board, order those actions which will have the least detrimental effect on the affected historical resource(s). The Building Official and the City Manager or his/her designee shall notify the Historical Advisory Board in writing within two days of any request he/she receives for any such action.

b. Certificate of Approval.

1. Alterations. The Historical Advisory Board shall determine whether to issue a certificate of approval for repairs and alterations of Historical Monuments, with or without conditions of approval, based on whether plans and specifications meet the standards established by the Historical Advisory Board and the Secretary of the Interior's standards for rehabilitation and guidelines for rehabilitating historic buildings.

2. Demolition. The Historical Advisory Board shall determine whether to issue a certificate of approval for demolition, with or without conditions of approval, based on whether it finds that the Historical Monument no longer meets the criteria therefore, or has become a detriment to the community and that the condition making it a detriment cannot readily be cured.

3. Removal. The Historical Advisory Board shall determine whether to issue a certificate of approval for the removal, with or without conditions of approval, based on whether it finds that the site to which the Historical Monument will be moved contains the appropriate architectural or cultural context.

4. Applications for any permit to demolish, alter or remove Historical Monuments shall be submitted to the Planning and Building Department and referred to the Historical Advisory Board for consideration. For purposes of review by the Historical Advisory Board, applications shall be deemed to be complete unless the Secretary of the Historical Advisory Board notifies the applicant to the contrary within the time limits specified by State law.

5. The Historical Advisory Board shall take no more than one hundred eighty (180) days from the date the application was deemed complete to take action on the application.

6. Any interested person may appeal a decision of the Board to issue or deny a certificate of approval by filing a written appeal within ten (10) days of the Board's action to the City Council. The City Council shall reverse the decision of the Board only if it finds, upon the evidence of qualified sources, that the Historical Monument is incapable of earning an economic return on its value. If the Council so finds it may grant the appeal.

7. Certificates of approval shall be valid for a period of three (3) years from the date of approval.

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~~8. Notice of hearing before the Historical Advisory Board shall be given by postal card or letter mailed to owners, as shown on the latest assessment roll, of all properties within three hundred (300') feet of the subject property.~~

~~c. *Maintenance of Historical Resources.*~~

~~1. Every Historical Monument, contributing structure in a district designated as a Historical Monument or resource listed on the Historical Building Study List shall be maintained in good repair by the owner in order to preserve all character defining elements against decay and deterioration.~~

~~2. An Interim Stabilization Plan shall be submitted for acceptance by the Planning and Building Director in consultation with the Building Official for any Historical Monument, contributing structure in a district designated a Historical Monument or resource listed on the Historical Building Study List damaged by fire, earthquake, flood or other Act of God, to prevent further deterioration of the structure. The Interim Stabilization Plan shall be submitted no more than thirty (30) days after the resource was damaged and shall be implemented to the satisfaction of the Planning and Building Director. The Interim Stabilization Plan shall contain, at a minimum, a condition assessment of the building and a weatherization plan, or any other information deemed pertinent by the Planning and Building Director.~~

Alteration or Demolition of Landmarks and Historic Districts

No person shall carry out or cause to be carried out on a designated Landmark, or on a contributing resource located within a designated Historic District, or on any designated Landmark or designated contributing building in an Historic District, construction, alteration, or demolition for which a City permit is required, without approval by the Historic Advisory Board, except in conformity with the provisions of Abatement of Dangerous Buildings, listed in this Ordinance. In addition, no such work shall take place unless all other applicable laws and regulations have been complied with, and a permit has been issued for said work.

A. Ordinary Maintenance Exemption.

The Historic Advisory Board shall review all Alteration Permit applications in accordance with the provisions of this ordinance, with the exception of Ordinary Maintenance and Repairs.

When a building permit is submitted to the city to do ordinary maintenance and repair; this action shall be exempt from discretionary review. Staff shall make this determination and notify the Historic Advisory Board of such action at the next Historic Advisory Board meeting.

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B. Landmarks and Historic Districts. Good repair and maintenance required.

The owner, lessee, or other person in actual charge of a Landmark and/or a contributing building in a Historic District shall keep in good repair all of the exterior portions of such Landmark or contributing building in a Historic District comprised of private property and all interior portions thereof when comprised of public property.

For purpose of this section, "good repair" means the prevention of structural decay or structural failure or the prevention of irreparable damage to the major historic or architectural features of the building.

C. Review of Permit Applications.

The staff of the Historic Advisory Board shall maintain with the Department of Community Development a current record of Landmarks and Historic Districts as well as a record of those having been designated and undergoing consideration.

Upon receipt of any application for a permit to carry out any construction, alteration or demolition on a Landmark or on a contributing building in an Historic District, or on an designated Landmark or designated contributing building in an Historic District, the Community Development Department shall, unless as stipulated in the following Section of this chapter, promptly forward such permit application to the Historic Advisory Board for review.

D. Alteration Permit

If an application involves an alteration to a property, building, site or area listed as a Landmark and/or contributing resource to a Historic District, an Alteration Permit shall be required. The decision will be made by the Historic Advisory Board at a public hearing. The application shall be accompanied by any and all related information necessary to assist the Historic Advisory Board in making its determination, including historical assessments from appropriate experts, as determined by the Secretary of the Historic Advisory Board. The cost of these reports shall be the responsibility of the applicant of the project.

If the Alteration Permit is part of a larger entitlement process required for a development project, the Alteration Permit shall be forwarded to the Historic Advisory Board for action prior to final action by the body of decision.

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E. Demolition Permit

~~**13-21.7 – Interim Review.**~~

~~**a.** Any building that was constructed prior to 1942 shall not be demolished or removed without the approval of a certificate of approval issued by the Historical Advisory Board. The age of the building shall be determined by a review of the City records.~~

~~**b.** No protected structure shall be demolished or removed without the approval of a certificate of approval issued by the Historical Advisory Board. Protected structures shall mean non-building resources listed on the Historical Building Study List.~~

~~**c.** No protected tree shall be removed without the approval of a certificate of approval from the Historical Advisory Board. Protected trees shall include: the palm trees in the public right of way on Burbank Street and Portola Avenue; any street tree on Thompson and Central Avenues; and any Coastal Live Oak (*quercus agrifolia*) with a ten (10") inch or greater diameter measured four and one half (4.5') feet above the ground. Applicants shall submit an arborist's report in a case where the health of the tree is the reason for the requested removal of the tree, or a contractor's report in a case where damage to foundation or other structures is the reason for the requested removal of the tree. Any street tree shall be replaced, at the applicant's expense, to the satisfaction of the Public Works Director. Any oak tree shall be replaced with a minimum of two (2) oak trees of ten (10) gallon size or larger to the satisfaction of the Planning and Building Director.~~

~~**d.** Appeals. Any interested person may appeal a decision of the Board to issue or deny a certificate of approval by filing a written appeal within ten (10) days to the City Council. The City Council shall reverse the decision of the Board only if it finds, upon the evidence of qualified sources, that the historical resource is incapable of earning an economic return on its value. If the Council so finds it may grant the appeal.~~

~~**e.** Validity of Certificate of Approval. Certificates of Approval shall be valid for a period of three (3) years from the date of approval.~~

~~**f.** Notification. Notice of a hearing before the Historical Advisory Board shall be given by postal card or letter mailed to owner, as shown on the latest assessment roll, of all properties within three hundred (300') feet of the subject property.~~

If an application involves a demolition of a main building over 50 years of age and/or listed as a Landmark or contributing resource to a Historic District, it shall first be routed the Historic Advisory Board for review of a demolition permit. If the building is a historic resource as defined under CEQA, the application shall include the appropriate level of environmental review documentation. If the building is not listed as a Landmark or contributing resource to a Historic District, but is greater than 50 years old according to city records, the Historic Advisory Board may either approve the Demolition Review Permit or designate the property, building, site or area building as a potential Landmark or contributing resource to a Historic District. If the Historic Advisory Board sets the building aside for study, it shall have up to 60 days to determine if the building meets the definition of a Landmark or contributing resource to a Historic District. If they do not act within 60 days, the building will be deemed not eligible for at least the next two years from the date of designation.

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F. Major Alteration of Main Buildings on the City of Alameda Study List

No person shall carry out or cause to be carried out on a main building listed on the Historic Study List any major alteration or demolition for which a City permit is required, without approval by the Historic Advisory Board, except in conformity with the provisions of Abatement of Dangerous Buildings, listed in this Ordinance. In addition, no such work shall take place unless all other applicable laws and regulations have been complied with, and a permit has been issued for said work.

G. Notice of Decision.

Final action on an Alteration, Major Alteration or Demolition Permit shall be made in writing listing any necessary conditions of approval. A copy of the action shall be mailed to the applicant, and to any person that has requested notice. The date of the final action shall be the date the Historic Advisory Board took final action on the project.

H. Imminently Hazardous Building Abatement Stabilization and/or Removal Required

If any building is been found to be unsafe or dangerous and imminently hazardous to persons in and around said building, the Chief Building Official shall make this declaration in writing. Once this declaration is made, the Chief Building Official may participate in creating an Interim Stabilization Plan and/ or issue permits to prevent danger to public health and safety. In addition, solely at the discretion of the Chief Building Official, a demolition permit can be issued for any building that is perceived to be a threat to health and safety of the public.

I. Preservation Incentives

Any building and/or property designated as a Landmark, or included as part of a Historic District, or greater than 50 years old is deemed eligible for use of the Historic Building Code.

Any building and/or property designated as a Landmark, or noted as a contributing building in a Historic District is deemed eligible for the Mills Act.

Any building and/or property designated as a Landmark, or noted as a contributing building in a Historic District is deemed eligible for conservation easements to reduce property tax assessments and for national register properties to obtain tax deductions.

Any building and/or property designated as a Landmark, or noted as a contributing building in a Historic District is deemed eligible for a broader range of

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permitted or conditionally uses, including the return to their original use, subject to Planning Board approval.

J. Advice and Guidance to Public and Private Property Owners.

The Historic Advisory Board may render advice and guidance with respect to any proposed work not requiring a City permit, on a Landmark or a contributing building in a Historic District. Examples of the work referred to are: painting and repainting of exterior surfaces; fencing; landscaping; and installation of lighting fixtures. In rendering such advice and guidance, the Historic Advisory Board shall be guided by the purposes and standards of this chapter.

K. Other Procedures Authorized.

The Historic Advisory Board may authorize such steps as it deems desirable to recognize the value of and to encourage the protection, enhancement, perpetuation, and use of any designated landmark, or any building in a designated historic district, including, but not limited to the issuance of a certificate of recognition and the authorization of a plaque to be affixed to the exterior of the building.

L. Referral to Historic Advisory Board for Comments Related to Adjacency of Project to Landmark or Historic District (CEQA Review)

~~13-21.9 - Applicability of State Code(s).~~

~~a. Historical Building Code. The Historical Building Code applies to all those structures designated as Historical Monuments and listed on the Historical Building Study List.~~

~~b. California Environmental Quality Act. The actions of the Historical Advisory Board are subject to the provisions of the California Environmental Quality Act.~~

~~c. Permit Processing and Streamlining. Applications to the Historical Advisory Board are subject to the Permit Streamlining Act in State law.~~

If a development application involves the construction or demolition of a building that is not a Landmark and/or contributing resource to a Historic District, but is deemed adjacent to a Landmark and/or contributing resource to a Historic District by the Community Development Director, the new project shall be sent to the Historic Advisory Board in order to receive comments pertaining to the impact of the project on the adjacent historic resource. These comments will be sought out by staff as soon as practical to ensure that any possible significant adverse impact on the adjacent landmarks is noted early in the process and, if necessary, forwarded on to the body of decision for use in its review of appropriate CEQA documentation completed for the project.

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SECTION 6: CONSIDERATION OF ECONOMIC EFFECT OF DESIGNATION OR REVIEW OF ACTION

To ensure compliance with federal and state constitutional requirements, the ordinance should include a procedure allowing a property owner to make the case that, in some situations, enforcement of the ordinance will cause unusual and extreme economic hardship. This is analogous to the variance provisions of a standard zoning ordinance, which provide a "release-valve" in unusual cases where regulation of development and use of a property may potentially rise to the level of an unconstitutional "taking." From a policy perspective, it may also be desirable to allow for some degree of flexibility within a preservation ordinance in order to encourage rehabilitation and economic use of the property, to avoid making "mothballing" of regulated properties the result of historic preservation efforts.

Section 6: Severe Economic Hardship Permit

The Historic Advisory Board may approve a Certificate of Economic Hardship permit application to carry out alterations or construction on a Landmark or in an Historic District if the applicant presents clear and convincing evidence to the Historic Advisory Board that such disapproval will cause an immediate and severe economic hardship because of specific conditions particular to the building or feature involved, and that failure to disapprove the application will be consistent with the purposes of this chapter. If hardship is found to exist under this section, the Historic Advisory Board shall make a written finding to that effect, and shall also specify in writing the facts relied upon in making such finding.

SECTION 7: APPEALS and Enforcement

How are decisions made under the ordinance appealed, and to whom? A defined appeal process provides a local administrative resolution to numerous claims that might otherwise spur litigation in the immediate aftermath of a decision by the preservation commission. An enforcement section is also included for review.

Section 7: Appeals and Calls for Review

A. Time Limits for Appeals or Calls for Review.

Any decision of the Historical Advisory Board shall be final on the date of the decision, unless any interested party, files a Notice of Appeal with the Community Development Department, no later than fifteen (15) calendar days following the decision. In filing an appeal, the appellant shall specifically state the reasons or justification for the appeal.

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In addition, a City Council member may call the decision up for a review no later than fifteen (15) calendar days following the decision and shall be accompanied by the reasons or justification for the review. No fee shall be required for a call for review.

B. End of Appeal or Call for Review Period –Weekend or Holiday

When the end of an appeal or call for review period falls on a non-work day, weekend or a statutory holiday, the period shall continue until the first working day thereafter.

C. Effect of an Appeal or Call for Review

The filing of a notice of appeal within the time and in the manner specified in this section shall stay all proceedings by all parties in connection with the matter upon which the appeal is taken until the final decision of the City Council as provided herein. Within forty-five (45) days following the filing of the notice of appeal, the City Council shall review the action of the Historic Advisory Board and may do any one of the following:

1. Refer the matter back to the Historic Advisory Board for further consideration, in which case the Historic Advisory Board shall conduct such further investigation as it shall deem advisable and report its conclusion to the City Council;
2. If the facts stated in or ascertainable from the application, the notice of appeal, the written statement of the Historic Advisory Board setting forth the reasons for its decision, and the other papers, if any, constituting the record do not, in the opinion of the City Council, warrant further hearing, the City Council may uphold the decision of the Historic Advisory Board and dismiss the appeal;
3. If, in the opinion of the City Council, said facts warrant further hearing, the City Council shall set the matter for hearing and shall give notice of the time and place of said hearing in the same manner as is provided for giving notice of the time and place for hearing before the Historic Advisory Board. The City Council may reverse or affirm wholly or partly, or modify any decision, determination or requirement of the Historic Advisory Board, and may make decisions or determinations or may impose such conditions as the facts warrant and its decision or determination shall be final. Any hearing may be continued from time to time.

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D. Time Limits and Notification of Appeals

If a public hearing is set on the appeal, the City Council must decide the appeal within thirty (30) days from the date that the public hearing on the appeal. If the City Council is unable to act on such appeal within such time, the decision of the Historic Advisory Board shall be automatically affirmed.

The City Clerk shall promptly notify in writing the appellant, owners or authorized agents of affected property, and residents of such property of the action taken.

Payment of fees for an appeal from the decision of the Historic Advisory Board shall be set by resolution of the City Council.

Section 8: Enforcement and Penalties

~~13-21.8—Acquisition of Property and Money Restricted.~~

~~This Historical Advisory Board shall have no power or right to acquire any property for or on behalf of itself for the City; nor shall it acquire or hold any money for itself or on behalf of the City, except that it may collect fines, fees and other monies, and expend funds, as specified in Section 2-339 of the City Charter and approved by the City Council.~~

~~13-21.10—Penalties.~~

~~a. Any violation of this section or failure to comply with a condition of approval of any certificate of approval or permit issued pursuant to this section constitutes a violation of the Alameda Municipal Code.~~

~~b. The removal or demolition of any contributing structure in a district designated a Historical Monument or main building, or other designated structure, such as water towers, coach houses or landscaping, listed on the Historical Building Study List without prior approval of a certificate of approval shall result in a five (5) year stay in the issuance of any building permit or construction related permit for any new construction at the site previously occupied by the historic resource. For the purposes of this section, the date of demolition shall be the date the City first was advised of the removal or demolition, unless the property owner can demonstrate an earlier date. The removal or demolition shall be presumed to have occurred on the date the City has actual knowledge of the removal or demolition, and the owner shall have the burden of proving an earlier date, if entitlement to an earlier date is claimed. The owner shall have the affirmative obligations to submit a landscape plan or other site maintenance plan to the satisfaction of the Planning and Building Director and to maintain such landscaping or implement the maintenance plan and to prevent the accumulation of debris and waste on the property during this period. The site shall not be used as a private or commercial parking lot.~~

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e. The removal or demolition of a Historical Monument shall result in the requirement to restore the resource to its appearance prior to the violation to the extent such restoration is physically possible to the satisfaction of the Planning and Building Director.

Unlawful Actions in Violation of the Alameda Municipal Code

It is unlawful for a person or entity to alter, relocate, or demolish or cause to be altered, relocated, or demolished any Landmark or contributing building to a Historic District in violation of any of the provisions of this ordinance.

Any violation of this chapter or failure to obtain a Permit or comply with a condition of approval of any Historic Advisory Board Permit, or other permit issued pursuant to this chapter constitutes a violation of the Alameda Municipal Code.

A. General Responsibilities

1. It shall be the duty of the Community Development Director, or his or her designee, to administer and enforce the provisions of this chapter.
2. For the purposes of this section, the date of alteration, relocation, or demolition shall be the date the City first was advised of the action, unless the property owner can provide an earlier date. The alteration, removal, or demolition of Landmark or a contributing building to a Historic District shall result in the requirement to restore the resource to its appearance prior to the violation to the extent such restoration is physically possible to the satisfaction of the Historic Advisory Board. If restoration is not possible, the violator shall be required to reconstruct the Landmark or contributing building to a Historic District.

If the violator is a contractor, the City Attorney may notify the State Contractor Licensing Historic Advisory Board of the violation.

B. Interim Stabilization Plan

~~13-21.5.e.2 – Procedure for Preservation of Historical and Cultural Monuments.~~

~~An Interim Stabilization Plan shall be submitted for acceptance by the Planning and Building Director in consultation with the Building Official for any Historical Monument, contributing structure in a district designated a Historical Monument or resource listed on the Historical Building Study List damaged by fire, earthquake, flood or other Act of God, to prevent further deterioration of the structure. The Interim Stabilization Plan shall be submitted no more than thirty (30) days after the resource was damaged and shall be implemented to the satisfaction of the Planning and Building Director. The Interim Stabilization Plan shall contain, at a minimum, a condition assessment of the building and a weatherization plan, or any other information deemed pertinent by the Planning and Building Director.~~

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The Community Development Director may require the owner to prepare an interim stabilization plan that may include additional measures designed to establish a weather resistant enclosure or secure the structural stability of an unsafe or deteriorated Landmark or contributing building to a Historic District. The owner shall submit a site maintenance plan to the satisfaction of the Community Development Director, or his or her designee, and shall implement the maintenance plan to prevent the accumulation of debris and waste on the property during this period. The site shall not be used as a private or commercial parking lot.

C. Possible Penalties

The Historic Advisory Board shall recommend appropriate penalties to the City Council from the following list:

1. Payment of a fine equal to the replacement value of the Landmark or contributing building to a Historic District, in kind. The estimate on replacement value shall be determined by a real estate appraiser with a certified general license. That appraiser shall be selected by the City and any fees will be paid for by the applicant. **The fine shall be deposited in the Historic Advisory Board Fund.**
2. A fine of up to \$50,000 per violation **to be deposited in the Historic Advisory Board Fund.**
3. A parcel that is the site of alteration, relocation, or demolition of a Landmark or contributing building to a Historic District in violation of this chapter shall not be developed in excess of the preexisting floor area ratio, or the preexisting dwelling unit density, of the affected Landmark or contributing building to a Historic District for a period of five years from the action.
4. The Community Development Director or his or her designee shall pursue means to collect assessed penalties. The City Attorney may attach a lien if the fine is not paid within one year of the assessment of the fine or take other means necessary to secure the funds.

D. Alternative Reparation

A person or entity may be relieved of the penalties provided in this ordinance if, as to an unlawful demolition or alteration, the person or entity provides evidence to the satisfaction of the Historic Advisory Board that the original distinguishing qualities and character of the resource can be restored. Such restoration must be undertaken pursuant to a valid building permit issued after the issuance of a Historic Advisory Board permit. A complete application for such Historic Advisory Board permit shall be submitted to the Community Development Department within ninety days of the date of the Notice of Violation. A complete application for a building permit shall be submitted within sixty days after approval of the

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Historic Advisory Board permit. Construction shall begin within 30 days of the issue of the building permit. The owner shall submit a site maintenance plan to the satisfaction of the Community Development Director, or his or her designee, and shall implement the maintenance plan to prevent the accumulation of debris and waste on the property during this period.

The City Attorney may maintain an action for injunctive relief to restrain or correct a violation, or cause, where possible, the complete or partial restoration, reconstruction or replacement in kind of any Landmark or contributing building to a Historic District altered, relocated, or demolished, or allowed to fall below minimum maintenance standards in violation of this chapter.

The remedies provided above are not exclusive.

SECTION 9: DEFINITIONS

A concise set of definitions helps to clearly establish the scope of regulation, particularly the type of buildings and other features subject to designation and review and the specific actions that trigger review.

~~13-21.2 – Definitions.~~

~~*Alteration* shall mean any addition, or exterior modification, improvement, repair, or replacement of character defining elements, which alter or change the original materials or appearance of a historical resource, including but not limited to, massing, roof forms, porches, finish materials, windows, and decorative details. The addition and alteration of awnings and signs, excluding historically designated signs, or interior modifications, improvements and repairs are not included in this definition.~~

~~*Character defining* shall mean distinctive features, finishes and construction techniques or examples of craftsmanship that characterize an architectural style or historic property.~~

~~*Demolition* shall mean the removal within a five (5) year period of more than thirty (30%) percent of the value of any designated structure or building, as determined by the Building Official.~~

~~*Historical Monument* shall mean any site, including significant trees or other plant life located thereon, building, structure, portion of a structure, or group of structures of particular historic significance to the City, such as historic structures or sites in which the broad cultural, political, economic or social history of the Nation, State or community is reflected or exemplified, or which are identified with historic personages or with important events in the main currents of national, State or local history, or which embody the distinguishing characteristics of an architectural type specimen, inherently valuable for a study of a period, type or method of construction, or a notable work of a master builder, designer or architect.~~

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~~*Historical Building Study List* shall mean that list of structures that are contained in the document titled Architectural and Historical Resources of the City of Alameda, dated and filed with the City Clerk.~~

~~*Removal* shall mean the relocation of any structure or building from one location to another, as well as the removal of designated plaques, trees and plantings, and natural features.~~

~~*Structural alteration* shall mean removal or alteration of the original foundation or structural elements such as floors, staircases, beams, columns, trusses or load bearing brick or stone walls. This shall not include in kind repair or replacement.~~

Accessory Building: Any building located on a lot other than the main building.

Addition: The creation of any new portion of a building which results in a vertical or horizontal extension of the building, and/or results in any new gross floor area that was not present in the building prior to construction of the addition.

Alteration: Physical changes or modifications to the structural elements of a Landmark or contributing building of a Historic District or any main building designated to the afore mentioned lists. Alterations include, but are not limited to:

1. Any exterior addition; removal and/or modification of windows, doors, roofing, siding or visible part of foundation of any main or accessory building that requires a building permit; of a privately owned building.
2. Any interior or exterior addition, removal and/or modification of windows, doors roofing, siding or visible part of foundation of any building main or accessory building that requires a building permit; of a city-owned landmark or Historic or cultural resource.

Alteration Permit: A discretionary permit under the purview of the Historic Advisory Board required for physical changes or modifications to the structural elements of a Landmark or contributing building of a Historic District or any main building designated to the afore mentioned lists.

This permit will be require the proposed project to be found to be consistent with the Department of Interior Standards for the Treatment of Historic Properties.

Alteration, Major: (Definition applies to buildings listed on the Historic Study List, only) Physical changes or modifications to the structural elements of any main building on the Historical Study List that requires a building permit; including but not limited to:

- a. Removal or enclosure of more than 25% of any exterior surface of any roof or exterior walls visible from the public right-of-way, except

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- 882 for replacement that visually match original surface materials, (like
883 for like)
884 b. An increase or decrease of the height of the main building by more
885 than one foot,
886 c. Any change that, in combination with other changes within the
887 preceding five years, would constitute a Major Alteration as defined
888 in any sub-section, above.
889

890 *Alteration, Major Permit:* A discretionary permit under the purview of the Historic
891 Advisory Board required for physical changes or modifications to the structural
892 elements of a building listed on the Historic Study List. As these buildings are not
893 recognized as Landmarks or the contributing buildings of a Historic District, these
894 permits will be governed by the Findings of the Design Review Ordinance for the
895 City of Alameda.
896

897 *Building:* Any permanent building having a roof supported by columns or walls.
898

899 *California Historical Building Code:* Title 24, Part 8 of the California Code of
900 Regulations (California Building Standards Historic Advisory Board); applies to all
901 qualified historic buildings, districts, and sites, designated under federal, state,
902 and local authority.
903

904 *California Environmental Quality Act (CEQA):* Sections 21000-21177 of the State
905 of California Public Resources Code. These Sections contain environmental
906 regulations governing the review of projects in California.
907

908 *California Historical Landmark:* Buildings, buildings, sites, and places that have
909 been determined to have statewide historical significance. The resource must
910 also be officially designated by the Director of California State Parks.
911

912 *Certificate of Economic Hardship:* A discretionary waiver issued by the Historical
913 Advisory Board to relieve an owner of a Landmark or contributing building to a
914 Historic District of economic hardship.
915

916 *Character-defining:* Visual aspects and physical elements that comprise the
917 appearance of a Landmark or Historical District that are significant to its
918 historical, architectural, or cultural value. This includes, but is not limited to:
919 architectural style, form and mass, materials, craftsmanship, construction
920 techniques, decorative details, and other visible features.
921

922 *Contributing Building:* A part of a Historic District that is representative of the
923 qualities that give significance to the site. Examples include: resources
924 constructed during the period of significance of the Historic District and has not
925 lost its integrity due to alterations and demolitions.

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Demolition: Any one of the following:

- a. Removal of more than fifty percent of the surface of any two exterior walls, except for replacement in kind.
- b. Enclosure or visual obstruction of more than twenty-five percent of the exterior wall(s) of any building so that the wall(s) no longer function as exterior wall(s).
- c. Removal of more than fifty percent of the roof surface area as measured in plan view, except for the replacement of roof surfaces in kind or replacement to match original roof surfaces.
- d. Any alteration that, in combination with other alterations within the preceding five years, will represent a change as defined in one or more subsections above.
- e. Relocation of any building or other resource within the site or to another site.

Demolition Permit: A discretionary permit under the purview of the Historic Advisory Board reviewing a plan of work for a proposed demolition of:

- a. A Landmark
- b. A contributing building within a Historic District.
- c. Any main building listed on the Historic Study List.
- d. Any main building, constructed fifty (50) years ago or later; that is proposed to be demolished.

Economic Hardship: Significant financial loss caused by incurring the costs necessary to retain the beneficial use of a Landmark.

Hardscape: Rigid portions of the urban landscape, including the surfaces of streets and sidewalks, buildings, and light standards and other appurtenances.

Heritage Area: Heritage Areas for educational purposes only.

Honorary selection by the Historical Advisory Board of a section of the city that is architecturally or historically unified and worthy of special recognition, a program authorized by City Council in June of 1986. This identification is intended to call attention to the best of Alameda's historic areas and enhance neighborhood identity by educating residents of their community's past. Four areas have been identified: Bay Station, Burbank-Portola, Leonardville, and Park Avenue.

Historical Advisory Board (HAB): A five member Historic Advisory Board established by the City Charter whose members are appointed by the Mayor and approved by City Council and charged with carrying out the duties set forth in the Municipal Code and in Historic Advisory Board Rules and Procedures.

Historical Advisory Board Fund: All fines, fees, or other monies arising out of the administration of the this ordinance, or gifts or trusts given to the city expressly

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for the Historic Advisory Board, shall be deposited into the Historic Advisory Board Fund.

Historic District: A geographically defined area designated by the Historic Advisory Board and approved by City Council that has a significant concentration or continuity of sites, buildings, hardscapes, landscapes, or buildings unified historically, culturally, or architecturally.

Historic Fabric: Historically significant construction materials, architectural finishes, or elements in a particular pattern or configuration dating from the time of the historic resource's period of significance.

Historic Preservation Element: Part of the General Plan of the City of Alameda adopted by the City Council.

Historic Study List: The list of significant buildings, buildings, sites, hardscape and landscape that may be eligible for consideration as a Landmark, but do not yet have the documentation to verify their Landmark status. (Formerly, this inventory was called the Historic Building Study List and includes addresses with the notation of N, S or B only.)

Interim Stabilization Plan: A plan provided by an owner to preserve a damaged building until a final building permit is approved by the city.

Imminently Hazardous Building or Building: A building or building or portion thereof, that is in a condition of structural weakness or that it is an immediate danger to life, health, or safety of the public or property and that such hazard is so imminent that the risks there from require summary or immediate action to avoid serious harm to the public or property.

*Integrity-*the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's historic or prehistoric period.

Landmark: A building, building, site, sign, landscape or hardscape that includes the following criteria:

1. Architecture.

a. A property, building, site or area that is a significant example of architectural period, style, movement or construction technique;

b. A property, building, site or area that is a significant work of an architect, contractor, designer, developer, or master builder.

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2. Culture.

A property, building, site or area associated with economic, educational, governmental, military, political, religious, and /or social development of the City of Alameda, the County of Alameda, the State of California and/or the United States of America.

3. History.

A property, building, site or area that embody and express the history of the preservation and enhancement of buildings, sites and areas that embody and express the history City of Alameda, the County of Alameda, the State of California and/or the United States of America.

4. State Historic Landmarks.

Any property or Historic District listed on the Register of California Historic Landmarks, a record kept by the California State Historic Preservation Office.

5. National Historic Landmarks.

Any property or District is listed on the National Register of Historic Places, a record kept by the Department of the Interior.

Landscape: An expanse of scenery, lawns, trees, plants, and other materials, such as rock and decorative features, including sculpture, patterned walks, fountains, trellises, patio covers, fences, and pools.

Main Building: The primary building on a site.

Maintenance and Repair: Conserving or repairing a building without modifying its form, detail, or materials. Maintenance and repair include the replacement of a concrete or brick foundation, painting of exterior elevations and replacement in kind of original architectural details utilizing the same materials found in the original element, consistent with the Department of Interior Standards.

National Register of Historic Places: The Nation's official list of historical and cultural resources worthy of preservation. Properties listed in the Register include districts, sites, buildings, buildings, and objects that are significant in American architecture, archeology, culture, engineering, and history. The National Register is administered by the National Park Service, part of the U.S. Department of the Interior.

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Noncontributing: A part of a Landmark or Historic District that is not representative of the qualities that give significance to the site. Examples include: resources constructed before or after the period of significance of the Historic District or a Landmark, or parts of a Landmark or Historic District that has lost its integrity due to alterations and demolitions.

Replacement-in-kind: shall mean the replacement of any building or architectural element which is identical to the existing building or architectural element in terms of location, size, and shape; and is made of materials that outwardly have the same dimensions, proportions, details and textures of the original and that outwardly appear unchanged from the original. See the Department of Interior Standards for the Treatment of Historic Properties.

Restoration: shall mean to restore or replace any building or architectural element back to its original dimensions, proportions, details and textures of the original element and that outwardly appear unchanged from the original element in place at the time of construction. If the original element has been removed or altered, the replacement element shall be consistent with the building's original architectural style as set forth in the Department of Interior Standards for the Treatment of Historic Properties.

Secretary of the Interior's Standards for the Treatment of Historic Properties: Standards provided by federal agencies in the preservation of historic properties that are listed or determined eligible for listing in the National Register of Historic Places; by State Historic Preservation Offices in evaluation of projects proposed for historic properties in accordance with federal regulations; by local governments, organizations, and individuals in making decisions about the identification, evaluation, registration, and treatment of historic properties. The Secretary of the Interior Standards for Treatment of Historic Properties published by the U.S. Department of the Interior.

Significant Adverse Impact: Physical demolition, destruction, or alteration of a Landmark, Historic District or its immediate surroundings such that the significance of the resource would be adversely impaired. Generally, the term is used in a CEQA discussion of potential impacts.

State Historical Building Code: See California Historical Building Code.

13-21.2 Alteration shall mean any addition, or exterior modification, improvement, repair, or replacement of character defining elements, which alter or change the original materials or appearance of a historical resource, including but not limited to, massing, roof forms, porches, finish materials, windows, and decorative details. The addition and alteration of awnings and signs, excluding historically designated signs, or interior modifications, improvements and repairs are not included in this definition.

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1092 *Character defining* shall mean distinctive features, finishes and construction techniques or
1093 examples of craftsmanship that characterize an architectural style or historic property.
1094 *Demolition* shall mean the removal within a five (5) year period of more than thirty (30%) percent
1095 of the value of any designated structure or building, as determined by the Building Official.
1096 *Historical Monument* shall mean any site, including significant trees or other plant life located
1097 thereon, building, structure, portion of a structure, or group of structures of particular historic
1098 significance to the City, such as historic structures or sites in which the broad cultural, political,
1099 economic or social history of the Nation, State or community is reflected or exemplified, or which
1100 are identified with historic personages or with important events in the main currents of national,
1101 State or local history, or which embody the distinguishing characteristics of an architectural type
1102 specimen, inherently valuable for a study of a period, type or method of construction, or a notable
1103 work of a master builder, designer or architect.
1104 *Historical Building Study List* shall mean that list of structures that are contained in the document
1105 titled Architectural and Historical Resources of the City of Alameda, dated and filed with the City
1106 Clerk.
1107 *Removal* shall mean the relocation of any structure or building from one location to another, as
1108 well as the removal of designated plaques, trees and plantings, and natural features.
1109 *Structural alteration* shall mean removal or alteration of the original foundation or structural
1110 elements such as floors, staircases, beams, columns, trusses or load bearing brick or stone walls.
1111 This shall not include in kind repair or replacement.
1112